IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

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**WRIT PETITION NO : 18788 of 2004**

Between:

APSARA Restaurant, Situate at Premises No. 6-2-102/4, Shobana Colony, Balanagar Mandal, R.R. District rep by Proprietor S. Harish Kumar S/o Somalingam R/o 1-3-747, Kavadiguda, Hyderabad

..... PETITIONER

AND

1 Commissioner of Police, Cyberabad, lakdikapul,
2 Station House Officer, Balanagar P.S. RR District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other Writ or direction declaring the action of respondent in interfering with the permitted activities, namely classical Indian, Focal Dances and songs at premises bearing NO. 6-2-102/4, as arbitrary illegal and unjust without jurisdiction and contrary to the provisions of the act, and consequently direct the respondent to permit the petitioner to conduct the activities as per the licence issued in Proc. No. SS/1127/04 dt 24-09-2004.

**Counsel for the Petitioner: SMT.C.VANI REDDY**

**Counsel for the Respondents: GP FOR HOME**

The Court at the admission stage made the following:

**ORDER:**

Petitioner claims to be a licensee under Section 7 of the Andhra Pradesh (Andhra Area) Places of Public Resort Act, 1888. It is stated that the licence is being renewed from time to time and the same is valid till the year 2005. It is further stated as per the conditions of licence, the petitioner is entitled to conduct Classical, Indian, Folk Dances and songs in the Restaurant of the petitioner. However, it is alleged that the respondents are interfering with the lawful activities of the petitioner without there being any justifiable reason. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing for the respondents, I deem it appropriate to dispose of the writ petition with a direction to the respondents not to interfere with the lawful activities of the petitioner being carried on in its premises in accordance with the conditions of the licence held by the petitioner. It is made clear that this shall not preclude the respondents to visit the petitioner's restaurant and in case it is found that any illegal activities are being conducted by the petitioner, the respondents are at liberty to take

necessary action in accordance with law. Accordingly, the writ petition is disposed of. No costs.

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13.10.2004

VGB

To

1 The Commissioner of Police, Cyberabad, lakdikapul,
2 The Station House Officer, Balanagar P.S. RR District

3 2CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad (OUT)

4 2CD copies